FOURTH DAY.—*Monday, 18th June 1934.*

The House reassembled at 12 NOON, the First Member of Council presiding, in the absence of the Dewan-President.

QUESTIONS AND ANSWERS—(*Continued*).

Mr. Patel Varada Reddy (Gudibanda Taluk).—

Q.—18. Will the Government be pleased to state :—

(*a*) Whether they are aware that the Taluk Officers are controlling the working of the village panchayets ?

(*b*) Whether the consent of the Amildar is required to draw the village panchayet funds from the savings bank ?

(*c*) Whether the Amildars are empowered to fix the jamabandi of the village panchayet taxes as is done in the case of land revenue ?

(*d*) Whether it has been so enacted that the account books of the panchayets should be carried to the taluk offices concerned for annual inspection ?

(*e*) Whether the appointment of a Sub-Overseer for each taluk at the cost of the village panchayet has been ordered ?

(*f*) If so, have any rules been framed in this behalf ?

Secretary to Government, Development Department.—

A.—18. (*a*) Yes.

(*b*) No.

(*c*) No.

(*d*) The question is not clear. The Amildars have, however, the power to call for and inspect any document which may be in the possession of or under the control of a village panchayet.

(*e*) The attention of the member is invited to Government Order No. L. 3574-85—V. P. 38-33-2, dated the 20th—21st November 1933 (*vide* Appendix), according to which, Special Village Panchayet Inspectors may be appointed wherever necessary, the number of officers to be so appointed

and their jurisdiction being determined with reference to the value of the works likely to be undertaken and the resources of the particular panchayets.

(*f*) No special rules have been framed in this behalf.

Supplementary Questions and Answers.

Mr. V. V. Iyer.—

Has it come to the notice of Government that the Amildars are compelling village panchayets to get their consent before withdrawing panchayet funds from the taluk treasuries?

Secretary to Government, Development Department.—

No.

Mr. V. V. Iyer.—

If they are compelling, is it right on their part to do so?

Secretary to Government, Development Department.—

It is a hypothetical question. If in any case they have acted against the Regulation, it may be brought to the notice of Government who will take necessary action in the matter.

Mr. V. V. Iyer.—

Has it come to the notice of Government that Amildars themselves are fixing the jamabandi of the village panchayets?

Secretary to Government, Development Department.—

The Amildars need not do it. The village panchayets themselves may do it.

Mr. V. V. Iyer.—

Are they aware that in certain cases the Amildars have altered some of the budget estimates of the village panchayets?

Secretary to Government, Development Department.—

No.

Mr. V. V. Iyer.—

If they have done so, is it not wrong? And if such instances are brought to notice, will the Government rectify them?

Secretary to Government, Development Department.—

Anything done against rules is wrong. If such instances are brought to the notice of Government, they will be enquired into.

Mr. V. Venkatappa.—

Had not such cases come to the notice of the Government in the past?

Secretary to Government, Development Department.—

So far as we can remember, no such cases have come to the notice of Government.

Mr. J. Mahomed Imam.—

After a village panchayet votes for any expenditure, cannot the chairman withdraw funds from the treasury immediately without the countersignature of the Amildar?

Secretary to Government, Development Department.—

Yes, if the other formalities fixed for such withdrawals are properly observed.

Mr. J. Mahomed Imam.—

If so, why is it that in many cases, the countersignature of the Amildar is insisted upon by the treasury officers?

Second Member of Council.—

It might be with a view to see whether there is money or not at the credit of the village panchayet and to keep in touch with what is going on there. This question was raised last year and the Government issued a circular to the effect that the Amildar's countersignature was not necessary.

Mr. J. Mahomed Imam.—

Are the Government aware that as a result of the Amildars insisting on their countersignature to withdrawals of the village panchayet funds, work in the panchayet areas is not progressing well?

Second Member of Council.—

As already stated, if such instances are brought to our notice, we will enquire into them.

Mr. K. M. Krishnappa Gowda.—

Where is the need for the Amildar to verify whether there is money or not at the credit of the village panchayets? Will not the pass-book itself show it?

Second Member of Council.—

All the same the Amildars might wish to scrutinise it. They have certain powers of supervision and control over the panchayets.

Mr. K. M. Krishnappa Gowda.—

In one and the same breath the Government say that the countersignature of Amildar is not necessary and that the Amildars exercise supervision and control over the expenditure . . . .

Second Member of Council.—

Exercising scrutiny is not the same as insisting upon countersignature.

Mr. K. M. Krishnappa Gowda.—

In almost all cases, the undefined powers of the Amildar have been a source of great inconvenience to the village panchayets. Why not the Government lay down clearly the procedure to be adopted in the matter and publish a circular in the Gazette?

Second Member of Council.—

A circular has already been issued last year.

Mr. V. V. Iyer.—

In order to pay bills connected with a well work in the Siddapur Village, Shimoga Taluk, the chairman of the village panchayet wanted to withdraw money from the treasury. All the necessary forms were duly filled in and presented to the treasury. The Amildar was approached thrice for countersignature since the same was insisted upon, but every time he sent word that there was no hurry. Amildars, as a class, are feeling that they are being deprived of their control over the village panchayets and are causing all the inconvenience for that reason.

First Member of Council.—

Under the Regulation itself, they have certain powers and it will not do to say that they should not exercise those powers.

Mr. V. V. Iyer.—

If there is anything wrong on the part of the panchayets, let the Amildars by all means exercise all their powers. But why should they insist on countersigning bills and withdrawal forms? If that is not done, all the panchayets will be helped.

Mr. B. S. Puttaswami.—

If the panchayets have enough funds at their control, and if after meeting their obligatory charges they resolve to spend some money on optional works, have Amildars any power to withhold sanction to such withdrawals?

Secretary to Government, Development Department.—

There is provision requiring their sanction. They have only certain powers of general supervision and control under Section 45.

Mr. B. S. Puttaswami.—

Can they say that any particular work should not be done out of the village panchayet funds?

Secretary to Government, Development Department.—

No.

Mr. B. S. Puttaswami.—

Has it come to the notice of Government that the village panchayets have not been allowed to spend their surplus funds on things like new schools and school buildings even though the panchayets have resolved to spend money on those items?

Secretary to Government, Development Department.—

No.

Mr. B. S. Puttaswami.—

Have Government issued any confidential circular that village panchayet funds should not be allowed to be spent on school buildings?

Second Member of Council.—

No. Nor is there necessity to issue any confidential circular. If Government want to issue any circular, they will do it openly.

Mr. B. S. Puttaswami.—

Is it not a fact that Government have issued orders to the effect that even if there be surplus funds, no village panchayet should spend them for educational purposes?

First Member of Council.—

That is a question pertaining to the policy of Government and cannot therefore be discussed at question time.

Mr. B. S. Puttaswami.—

How many Village Panchayet Inspectors have been appointed so far?

Secretary to Government, Development Department.—

About 10 or 15.

Mr. B. S. Puttaswami.—

Did any of the panchayets ask for Inspectors?

Secretary to Government, Development Department.—

Some panchayets did pass resolutions to that effect and the existing Government orders are based on them.

Mr. B. S. Puttaswami.—

Which are those panchayets that asked for Inspectors?

Secretary to Government, Development Department.—

Notice.

Mr. B. S. Puttaswami.—

Does not Government Order No. 5733—V.P. 43-33-2, dated 31st January 1934, prohibit village panchayets from spending their funds on school buildings?

Second Member of Council.—

The question whether school buildings should be constructed out of the Elementary Education Fund or out of the village panchayet funds, is a question of policy. The funds of village panchayets should be mainly spent on sanitation, village improvements and such other amenities. Otherwise if every panchayet goes on spending its money on optional items, there would be very little left for obligatory items. So, each case has to be examined on its merits.

Mr. B. S. Puttaswami.—

Have not the Government ordered that every village panchayet should contribute at the rate of one rupee towards the Indian Red Cross Society? How is that an obligatory expenditure?

Second Member of Council.—

That is for health and sanitation which come under obligatory duties.

First Member of Council.—

The member seems to be going beyond the scope of the question. Government realise the importance of the matter, but the policy of Government cannot be discussed through an interpellation.

Mr. H. K. Madaiya.—

Is there a Government Order to the effect that every village panchayet should provide gate pillars for the village gate?

Secretary to Government, Development Department.—

No.

Mr. H. K. Madaiya.—

Then why should the Amildars compel the panchayets to put up these pillars?

Secretary to Government, Development Department.—

More with a view to give a decent appearance and a better approach to the village.

Mr. H. K. Madaiya.—

Why should the panchayets be compelled by the Amildars to contribute Rs. 5 to Rs. 10 each for the panchayet conferences?

Second Member of Council.—

Surely there is no circular to that effect.

Mr. H. K. Madaiya.—

In regard to dire needs such as drinking water wells, the Amildars do not give effect to panchayet resolutions. How could they compel the panchayets to contribute for optional items like conferences?

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First Member of Council.—

That is not a supplementary question.

Mr. Bagamane Deva Gowda.—

For the Bukkambudhi Village there is no Village Panchayet Hall. The panchayet resolved to purchase a building instead of constructing one. But the Amildar has been compelling the panchayet to build a new hall. Has this come to the notice of the Government ?

Secretary to Government, Development Department.—

No.

Mr. Bagamane Deva Gowda.—

Will the Government issue instructions to the Amildar not to compel the panchayet to construct a new hall ?

Secretary to Government, Development Department.—

The case may be brought to the notice of Government.

Mr. Venkataramane Gowda.—

When the panchayet recommends a contractor for a particular work, can the Amildar entrust the work to any other contractor ?

Secretary to Government, Development Department.—

We do not know all the circumstances that led the Amildar to take such action. If the panchayets feel that any Amildar has acted wrongly, they can appeal to the Deputy Commissioner.

Mr. S. C. Mallaiya.—

Has it come to the notice of Government that at some Taluk Panchayet Conferences, resolutions have been passed to the effect that Panchayet Inspectors are not necessary ?

Secretary to Government, Development Department.—

No.

Mr. S. C. Mallaiya.—

Are not resolutions of Panchayet Conferences sent to Government ?

Secretary to Government, Development Department.—

Only the more important resolutions come up to Government.

Mr. S. C. Mallaiya.—

Do the Government appoint the Village Panchayet Inspectors on the request of the panchayets or do they force them on the panchayets ?

Secretary to Government, Development Department.—

They will be appointed only if the panchayets want them.

Mr. S. C. Mallaiya.—

Can the funds of one panchayet be spent in another panchayet ?

Secretary to Government, Development Department.—

No.

Mr. S. C. Mallaiya.—

Can the panchayets in one taluk make donations for expenses of a conference of village panchayets in another taluk ?

Secretary to Government, Development Department.—

Such instances have not come to notice.

First Member of Council.—

If anything takes place contrary to rules, it might be brought to the notice of the Deputy Commissioner and if the parties are not satisfied with his decision in the matter, they can approach the chief controlling authority, the Revenue Commissioner. There is no use discussing these things in the Assembly.

At this stage, the Dewan arrived and took the Chair.

Mr. Maddiah (Kolar Gold Fields Sanitary Board Area).—

Q.—20. Will the Government be pleased to state :—

(*a*) Whether the financial condition of the Sri Avani Mutt (Mulbagal Taluk) has improved ever since it was taken under Government management ?